

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

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EMORY STEVE BROWN,

Plaintiff,

v.

CLAIMS MANAGEMENT, INC.,

Defendant.

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CASE NUMBER:

3:05-cv-001-C

CLERK OF DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

NOTICE OF REMOVAL

TO: The Judges of the United States District Court for Middle District of Alabama,
Eastern Division.

The defendant Claims Management, Inc. (hereinafter referred to as the
“defendant CMI”) respectfully shows the Court the following:

1.

A civil action has been brought against the defendant CMI in the Circuit Court
of Randolph County, State of Alabama, by the above named plaintiff, said action being
designated as Case Number: CV 2005 093.

2.

Plaintiff is now, was at the commencement of this suit and at all times since, a
citizen and resident of the State of Alabama.

3.

Defendant CMI is now and was at the commencement of this suit, a corporation
organized and existing under the laws of the State of Arkansas, having its principal
place of business in Bentonville, Arkansas.

4.

Defendant CMI attaches hereto a copy of the Summons and Complaint in the Circuit Court of Randolph County, Alabama marked as Exhibit "A" and a copy of the answer of defendant CMI, marked as Exhibit "B".

5.

Now within thirty (30) days after service of the Summons and Complaint, the defendant CMI files this it Notice of Removal of said action to this Court.

6.

This action is removable by reason of diversity of citizenship, there being complete diversity among the parties and there being more than \$75,000.00 in controversy, exclusive of interest and costs. The defendant CMI contends that the amount in controversy exceeds the threshold requirement for removal to this court due to the fact that defendant CMI's counsel spoke to the plaintiff's counsel on July 13, 2005 regarding the amount sought. The plaintiff's counsel would not agree to or stipulate that the amount was less than \$75,000.00 and stated he would seek an amount far in excess of \$75,000.00.

WHEREFORE, the defendant CMI files its Notice of Removal of said cause to this Court.

This 22 day of July, 2005.

Respectfully submitted,

CARLOCK, COPELAND, SEMLER
& STAIR, LLP

BY: 

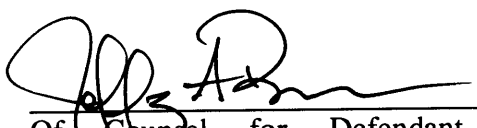
Jeffrey A. Brown
State Bar No. 064441
Attorneys for Defendant, Claims
Management, Inc.
Post Office Box 139
Columbus, Georgia 31902-0139
(706) 653-6109

CERTIFICATE OF SERVICE

I, Jeffrey A. Brown, do hereby certify that I am of counsel for the defendant Claims Management, Inc. and that I have served a copy of the above and foregoing NOTICE OF REMOVAL upon all counsel of record by depositing a true copy of same in the United States mail, postage prepaid, in an envelope addressed to opposing counsel as follows:

John A. Tinney, Esquire
Post Office Box 1340
Roanoke, Alabama 36274

This 22 day of July, 2005.


Of Counsel for Defendant, Claims
Management, Inc.